

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

JAMES WEST

PLAINTIFF

V.

CIVIL ACTION NO.1:05CV18-GHD-JAD

ALCORN SHERIFF DEPARTMENT, ET AL

DEFENDANTS

**FINAL JUDGMENT**

On consideration of the file and records in this action, an evidentiary hearing having been conducted by the Magistrate Judge on October 4, 2006, pursuant to 28 U.S.C. §636(b)(1)(B), and Spears v. McCotter, 766 F.2d 179 (5 Cir. 1985), the Court finds that the Report and Recommendation of the United States Magistrate Judge dated October 6, 2006, was on that date duly served by first class mail upon the plaintiff, and upon the attorneys of record for the defendants; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by said parties. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated October 6, 2006, be, and it is hereby, approved and adopted, and that the proposed findings of fact and conclusions of law therein set out be, and they are hereby, adopted as the findings of fact and conclusions of law of the Court.

2. That judgment be and hereby is **entered for the defendants**.

THIS, the 25th day of October, 2006.

/s/ Glen H. Davidson  
CHIEF JUDGE